UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/47/581
29 October 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 126

STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICTS

Report of the Sixth Committee

Rapporteur: Mr. Wael Kamal ABOULMAGD (Egypt)

I. INTRODUCTION

1. The item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts" was included in the provisional agenda of the forty-seventh session of the General Assembly, pursuant to paragraph 6 of Assembly resolution 45/38 of 28 November 1990.

2. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it the report of the Secretary-General (A/47/324), submitted pursuant to paragraph 5 of General Assembly resolution 45/38.

4. The Sixth Committee considered the item at its 6th and 11th meetings, on 25 September and 8 October 1992. The summary records of those meetings (A/C.6/47/SR.6 and 11) contain the views of the representatives who spoke during the consideration of the item.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/47/L.3

5. At the 11th meeting, on 8 October, the representative of Sweden introduced a draft resolution (A/C.6/47/L.3), sponsored by Algeria, Australia, Austria, Bangladesh, Canada, Chile, Czechoslovakia, Denmark, Egypt, Finland, Germany, Iceland, Latvia, the Netherlands, New Zealand, Norway, Romania, the Russian Federation, Sweden and Ukraine, later joined by Belarus, Belgium and Spain.

6. At the same meeting, the Committee adopted draft resolution A/C.6/47/L.3 without a vote (see para. 8).

7. Statements in explanation of position were made by the representatives of the United States of America and Israel.

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986, 43/161 of 9 December 1988 and 45/38 of 28 November 1990,

Having considered the report of the Secretary-General 1/ on the status of the Protocols 2/ Additional to the Geneva Conventions of 1949 3/ and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

---

1/ A/47/324.

2/ United Nations, Treaty Series, vol. 1125, Nos. 17512 and 17513.

3/ Ibid., vol. 75, Nos. 970-973.

Noting with satisfaction that, pursuant to article 90 of Additional Protocol I, the International Fact-Finding Commission has become operational,

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. Appreciates the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. Notes, however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

3. Appeals to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties also to the additional Protocols at the earliest possible date;

4. Calls upon all States which are already parties to Protocol I, or those States not parties, on becoming parties to Protocol I, to consider making the declaration provided for under article 90 of that Protocol;

5. Requests the Secretary-General to submit to the General Assembly at its forty-ninth session a report on the status of the Protocols based on information received from Member States;

6. Decides to include in the provisional agenda of its forty-ninth session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".